

Serial No. 10/057,903
HP 30011898-03US
LHB 1509-260
Page 13

REMARKS

Applicant thanks the Examiner for the thorough consideration given the present application. Claims 1-31 are pending, of which claims 1, 12, and 22 are independent.

The title is amended for consistency. Minor changes are also made to the claims for consistency and clarity. In addition, independent claims 1, 12, and 22 are amended to clarify that in the inventive audio user-interfacing method and apparatus, each item is represented in the audio field by a respective sound source, and each sound source has a respective rendering positioning in the audio field. Thus, reference to each "group" having multiple sound sources means that each group is composed of multiple sound sources, each with its own position in the field and each representing a different item.

Applicant acknowledges the indication that claims 4, 6-8, 11, 15, 17, 18, 21, 25, 27, 28, and 31 contain allowable subject matter. However, as discussed below, it is believed that all pending claims are patentable over the art of record. Accordingly, Applicant traverses the rejection of claims 1-3, 5, 9, 12-14, 16, 19, 22-24, and 29 under 35 U.S.C. §102(e) as being anticipated by Slezak (U.S. 6,647,119), as well as the rejection of claims 10, 20,

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Serial No. 10/057,903
HP 30011898-03US
LHB 1509-260
Page 14

and 30 under 35 U.S.C. §103(a) as being unpatentable over Slezak in view of Applicant's disclosure.

The Office Action relies on column 7, lines 37-61, and FIG. 5, which describe how a user's position in a document being viewed on a computer screen can be represented not only by visual indicators in vertical and horizontal scroll bars in a standard manner, but also by corresponding "simulated sound sources" that respectively move vertically and horizontally vis-à-vis movement of scroll bar indicators. FIG. 5 depicts vertical scroll bar 166 and associated indicator 168, as well as corresponding simulated sound source 174 that moves up and down path 176 relative to movement of indicator 168. FIG. 5 also shows simulated sound source 178 arranged to move horizontally corresponding to horizontal scrolling of the document.

At column 7, line 41, Slezak says simulated sound source 176 "provides periodic audible tones, or chimes." At column 7, lines 50-54, Slezak notes that simulated sound source 176 provides audio indications "when the indicator 168 moves with respect to the background field 170, and/or periodic audible indications...even if the indicator 168 does not move in order to remind the user of his or her position."

The Office Action equates Applicant's claimed "group" with Slezak's simulated sound source, contending on page 3 that Slezak's

Serial No. 10/057,903
HP 30011898-03US
LHB 1509-260
Page 15

simulated sound source "comprises multiple sound sources (i.e. tones and chimes)." This argument is untenable, however. First, Slezak actually has tones and chimes as alternatives, i.e., not tones *and* chimes, but tones *or* chimes. Hence, there is no basis for concluding that Slezak's simulated sound source actually constitutes multiple sound sources. Second and most importantly, each of Applicant's claimed synthesized sound sources corresponds to a respective item and has a respective position in the audio field. Thus, each presently claimed "group" which, by definition, has multiple sound sources, represents multiple items--each item in a group being represented by a respective sound source, each with its own position in the audio field.

This is totally different from a Slezak-simulated sound source (such as 174), which represents a single item (indicator 168) at a single position in the audio field. Notwithstanding assertions in the Office Action to the contrary, Slezak fails to disclose, and the Examiner has failed to identify any support in Slezak for, organizing simulated sound sources into groups. Furthermore, Slezak fails to disclose automatically and cyclically unmuting each group of sound sources in turn for a limited period with groups other than a current cyclically unmuted group being at least partially muted, as required by Applicant's amended independent claims 1, 12, and 25.

BEST AVAILABLE COPY

Serial No. 10/057,903
HP 30011898-03US
LHB 1509-260
Page 16

In view of the foregoing, amended independent claims 1, 12, and 22 are allowable over the art of record, including Slezak, taken alone or with Applicant's disclosure. The remaining claims depend directly or indirectly from amended independent claims 1, 12, or 22 and, therefore, are also allowable due to their dependence on these allowable independent claims, as well as for the additional limitations provided by these claims. Favorable reconsideration and allowance are deemed in order, and such action is respectfully requested.

To the extent necessary during prosecution, Applicant hereby requests any required extension of time not otherwise requested and hereby authorizes the Commissioner to charge any prescribed fees not otherwise provided for, including application processing, extension of time, and extra claims fees, to Deposit Account No. 08-2025.

Respectfully submitted,
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